

AFFIDAVIT OF PUBLICATION
The Rigby Star

RECEIVED
FEB 2 1968
Department of Reclamation

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement

issue thereof, for Two consecutive issues thereof; first publication having been made on the

18th day of January, 1968
and the last publication on the

25 day of January, 1968

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

CORRECTION NOTICE

Notice is hereby given that Application No. 31-7005, Owsley Canal Company, has been changed at the request of the applicant as to the volume of storage from 40.0 acre feet per annum to 6000 acre feet per annum.

Any protest against this correction must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Publish: Jan. 18, 26, 1968.

Subscribed in my presence and sworn to before me this 1st
day of February, 1968
(SEAL)

R. H. Hamm
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 3.68

MY COMMISSION EXPIRES JULY 15, 1969

31-7005

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4th day of January, 1968
 and the last publication on the 11th day of January, 1968

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Hope B Jones

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 (SEAL)

R H Hanna
 Notary Public for the State of Idaho,
 Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 667

MY COMMISSION EXPIRES JULY 15, 1969

**NOTICE OF APPLICATION
 FOR WATER**

Notice is hereby given that Owsley Canal Company, Terreton, Idaho has on December 4, 1967 applied for permit to divert 20.0 cubic feet per second and to store 40 acre feet of water from a subterranean source under application No. 31-7005. Water will be diverted by a well, pump, motor, and ditches within the NW 1/4, Sec. 24, T. 7 N, R. 34 E, B. M., Jefferson County and is to be used from April 1 to November 15 for irrigation purposes in parts of Sections 8, 17, 18, 19, 20, 29, 30, 4, 6 N, R. 35 E; and 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 8 N, R. 34 E; and 32 and 33, T. 7 N, R. 34 E, B.M., total acres 17,088.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,
 State Reclamation Engineer.
 (Publish: Jan. 4-11, 1968)

31-7005

June 24, 1970

Re: Permit No. 31-7005

The Owsley Canal Co.
Attn: Mrs. Merrill Jemmett
Terreton, Idaho 83450

Dear Mrs. Jemmett:

Thank you for your letter of June 1, 1970, regarding the installation of the measuring device in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

*Encl
D. J. Jemmett*

31-7005

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R. KEITH HIGGINSON
State Reclamation Engineer
Publish: Jan. 18, 26, 1968.

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R. H. Hamm
Notary Public for the State of Idaho,
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Publication Fee: \$ 3.68

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R. KEITH HIGGINSON,
State Reclamation Engineer.
(Publish: Jan. 4-11, 1968)

31-7005

June 24, 1970

Re: Permit No. 31-7005

The Owsley Canal Co.
Attn: Mrs. Merrill Jemmett
Terreton, Idaho 83450

Dear Mrs. Jemmett:

Thank you for your letter of June 1, 1970, regarding the installation of the measuring device in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

*Encl
D. J. Jemmett*

31-7005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

This is to certify that: OWSLEY CANAL CO
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00327 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	110.00 CFS	
Priority: 00/00/0000			
Right No. 31-00328 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	100.00 CFS	
Priority: 00/00/0000			
Right No. 31-00329 :			
IRRIGATION	04/15 to 10/15	** 50.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	50.00 CFS	
Priority: 00/00/0000			
Right No. 31-00330 :			
IRRIGATION	04/15 to 10/15	** 80.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	80.00 CFS	
Priority: 00/00/0000			
Right No. 31-00331 :			
IRRIGATION	04/15 to 10/15	24.00 CFS	
Priority: 09/10/1928			
Right No. 31-00332 :			
IRRIGATION STORAGE	01/01 to 12/31		5000.0 AF
Priority: 01/25/1930			

MICROFILMED
FEB 11 1999

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 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00336B :			
IRRIGATION	04/15 to 10/15	11.05 CFS	
Priority: 04/27/1932			
Right No. 31-00337B :			
IRRIGATION	04/15 to 10/15	17.00 CFS	
Priority: 12/15/1932			
Right No. 31-00371 :			
IRRIGATION	04/15 to 10/15	23.00 CFS	
Priority: 09/10/1928			
Right No. 31-02239 :			
IRRIGATION	04/15 to 10/15	40.00 CFS	16899.4 AF
Priority: 01/25/1930			
Right No. 31-02265 :			
IRRIGATION	04/15 to 10/15	64.40 CFS	23375.9 AF
Priority: 05/22/1940			
Right No. 31-02289 :			
IRRIGATION	04/15 to 10/15	3.20 CFS	560.0 AF
Priority: 01/13/1949			
Right No. 31-02290 :			
IRRIGATION	04/15 to 10/15	3.60 CFS	840.0 AF
Priority: 02/14/1949			
Right No. 31-02297 :			
IRRIGATION	04/15 to 10/15	6.00 CFS	1190.0 AF
Priority: 12/29/1949			
Right No. 31-02310 :			
IRRIGATION	04/15 to 10/15	5.80 CFS	1015.0 AF
Priority: 09/24/1952			
Right No. 31-02317A :			
IRRIGATION	04/15 to 10/15	8.08 CFS	1414.0 AF
Priority: 02/28/1953			

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 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-02317B :			
IRRIGATION	04/15 to 10/15	1.90 CFS	332.5 AF
Priority: 10/27/1956			
Right No. 31-02321 :			
IRRIGATION	04/15 to 10/15	1.92 CFS	336.0 AF
Priority: 04/25/1953			
Right No. 31-02341 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02342 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02343 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02344 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02345 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-07005 :			
IRRIGATION	04/15 to 10/15	13.26 CFS	4939.4 AF
Priority: 12/04/1967			

TOTAL: *** 643.21 CFS

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 13, Township 07N, Range 34E
 SESE , Sec. 13, Township 07N, Range 34E
 NENE , Sec. 23, Township 07N, Range 34E
 NENE , Sec. 24, Township 07N, Range 34E
 NWNE , Sec. 24, Township 07N, Range 34E

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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 24, Township 07N, Range 34E
 SWSW , Sec. 13, Township 07N, Range 35E
 SESE , Sec. 14, Township 07N, Range 35E
 Lot 4 (SESW), Sec. 18, Township 07N, Range 35E
 Lot 1 (NWNW), Sec. 19, Township 07N, Range 35E
 SWNW , Sec. 19, Township 07N, Range 35E
 SENW , Sec. 19, Township 07N, Range 35E
 NESE , Sec. 22, Township 07N, Range 35E
 NWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 25, Township 07N, Range 35E
 SESW , Sec. 25, Township 07N, Range 35E
 NWSE , Sec. 25, Township 07N, Range 35E
 SESE , Sec. 26, Township 07N, Range 35E
 NWNE , Sec. 27, Township 07N, Range 35E
 NENW , Sec. 36, Township 07N, Range 35E

JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	34E	3	NENW 26	NWNW 35	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	461
		4	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		5	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320
		8	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
9			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
10			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 20	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			620
11			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
13			NWNW 40	SWNW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			400
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 27	SESE 37	460
15			NENW 40	NWNW 40	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 40	SESE 40	476
16			NENE 40	NWNE 40	SWNE 40	
			SENE 25	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
17			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

MICROFILMED

FEB 11 1993

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 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 20	NWSE 40	SWSE 10	
			SESE 10			560
20			NENE 30	NWNE 35	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			615
21			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 25	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
22			NENE 20	NWNE 20	SWNE 40	
			SENE 40	NENW 36	NWNW 20	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			576
23			NENE 15	NWNE 40	SWNE 40	
			SENE 40	NENW 35	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			610
24			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 10	NWNW 30	
			SWNW 40	SENE 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			590
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
26			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
27			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
28			NENE 40	SWNE 40	SENE 40	
			NENW 40	NWNW 40	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	600
29			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
34			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENE 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		560
35			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
35E	1		NWNW 4			4
	2		NENE 40	NWNE 40	SWNE 40	
			SENE 8	NESW 32	NWSW 40	
			SWSW 40	SESW 38	NWSE 40	
			SWSE 40			358
3	Lot 1	(NENE) 41.9	Lot 2 (NWNE) 41.7		SWNE 40	
		SENE 40	Lot 3 (NENW) 41.5	Lot 4 (NWNW) 35		
		SWNW 40		SENE 40		
		NWSW 40		SWSW 40		
		NESE 40		NWSE 40		

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FEB 11 1980

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SESE	40			640.1
4	Lot 4	(NWNW)	7	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	327
5	Lot 1	(NENE)	41.2	Lot 2	(NWNE)	38
		SENE	40	NESW	40	
		NESE	40	NWSE	40	
		SESE	40			399.2
8		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SESW	40	
		NWSW	40	SWSE	40	
		NESE	40			640
		SESE	40			
9		NENE	40	NWNE	40	
		SENE	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	480
10		NENE	40	SWNE	40	
		SESW	40	NESW	40	
		SWNW	40	SESW	40	
		NWSE	40	SWSE	40	480
11		NENW	40	NWNW	30	
		SESW	40	NESW	40	
						270
14		NESW	10	NWSW	40	50
15		NENE	34	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SESW	40	
		NWSW	40	SWSE	40	
		NESE	40			634
		SESE	40			
16		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SESW	40	
		NWSW	40	SWSE	40	
		NESE	40			640
		SESE	40			
17		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SESW	40	

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FEB 11 1993

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
18			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
19			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
20			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
22			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		440
29			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 10	SESW 40		290
30			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
07N 34E	32		SESW 40	SWSE 40	SESE 40	120
	33		NWSW 10	SWSW 20	SESW 40	
35E	32	Lot 8 (SWSE) 2		Lot 7 (SESE) 18		20
	33		SWSW 1			1
	35		NESE 38	NWSE 34	SWSE 34	
			SESE 38			144
	36		NESW 40	NWSW 40	SWSW 38	118

Total number of acres irrigated: * 24261.3

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FEB 11 1999

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- *** 9. The total instantaneous diversion of water from all points of diversion under Transfer 5335 shall not exceed 503.21 cfs during the irrigation season.
10. Approval of Transfer 5335 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ** 11. Rights 31-00327, 31-00328, 31-00329 and 31-00330 when combined shall not exceed a total diversion rate of 200.00 cfs during the irrigation season, and may be diverted at their full authorized rate of diversion into Mud Lake for storage purposes during the non-irrigation season.
- * 12. Right 31-02289 is limited to irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 13. Right 31-02290 is limited to irrigation of 240.0 acres in the place of use described above in a single irrigation season.
- * 14. Right 31-02297 is limited to irrigation of 340.0 acres in the place of use described above in a single irrigation season.

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FEB 11 1999

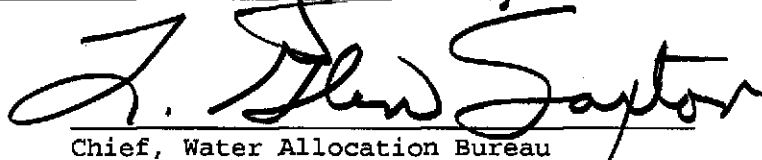
TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

- * 15. Right 31-02310 is limited to irrigation of 290.0 acres in the place of use described above in a single irrigation season.
- * 16. Right 31-02317A is limited to irrigation of 404.0 acres in the place of use described above in a single irrigation season.
- * 17. Right 31-02317B is limited to irrigation of 95.0 acres in the place of use described above in a single irrigation season.
- * 18. Right 31-02321 is limited to irrigation of 96.0 acres in the place of use described above in a single irrigation season.
- * 19. Rights 31-00336B, 31-00337B, 31-02289, 31-02290, 31-02297, 31-02310, 31-02317A, 31-02317B and 31-02321 when combined shall not exceed the irrigation of 3107.2 acres in the place of use described above in a single irrigation season.
- * 20. Right 31-02239 is limited to the irrigation of 13,480.0 acres in the place of use described above in a single irrigation season.
- * 21. Right 31-07005 is limited to the irrigation of 17,088.0 acres in the place of use described above in a single irrigation season.
- * 22. Rights 31-02239, 31-02265, 31-02341, 31-02342, 31-02343, 31-02344, 31-02345 and 31-07005 when combined shall not exceed the irrigation of 17,240.0 acres in the place of use described above in a single irrigation season.
- 23. Two points of diversion are located within SESE, S14, T07N, R35E.
- 24. Two points of diversion are located within Lot 1(NWNW), S19, T07N, R35E.
- 25. Five points of diversion are located within SWSW, S25, T07N, R35E.
- 26. Seven points of diversion are located within NWSE, S25, T07N, R35E.
- 27. Two points of diversion are located within SESE, S26, T07N, R35E.

Dated this 8th day of February, 19 99.


 Chief, Water Allocation Bureau

MICROFILMED
 FEB 11 1999

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31-7005 Priority Dec. 4, 1967 Amount 13.26 cfs

THIS IS TO CERTIFY, that OWSLEY CANAL COMPANY
of Terreton, Idaho, has complied with the terms and conditions of Permit
No. 31-7005 issued pursuant to Application for Permit dated December 4, 1967,
and has submitted proof to the Department of Water Administration on February 5, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 13.26 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 13.26 cfs for Irrigation from April 1 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 13.26 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp. 7 N, Rge. 34 E, B. M.

in the county of Jefferson, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 5,986 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use: See Land List Attachment

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

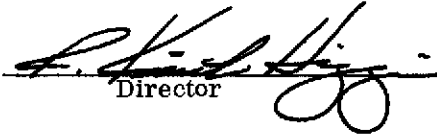
Total number of acres irrigated 17,088

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of

July, 19 73.


Director

31 7005

License No. 31-7005
LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6 N	35 E	8									40	40	40			40			160 ✓
		17					27	40	40	40	40	27	26	40					280 ✓
		18	40	40	40	40	40	40	40	40	40	35	35	40	40	40	40	40	630 ✓
*		19	40	40	40	40	40	40	40	40	40	35	35	40	40	40	40	40	630 ✓
		20	40	40	40	40	40	40		40	40	40	40	40					440 ✓
		29					35	40	40	35		10							160 ✓
*		30	40	40	40	40		36	35	40		36	35						342 ✓
6 N	34 E	3						30	40	35	40	40	40	40	40	40	40	40	425 ✓
		4	40	30	30	40	30	30	30	30	40	40	40	40	40	40	40	40	580 ✓
		5	40	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	620 ✓
		7	40	40	40	40									40	40	40	40	320 ✓
		8	All of Section																640 ✓
		9	All of Section																640 ✓
		10	All of Section																640 ✓
		11									40	40	40	40	40	40	40	40	320 ✓
		13						40	40		40	40	40	40	40	40	40	40	400 ✓
		14	40	40	40	40					40	40	40	35	40	40	40	40	475 ✓
		15					40	40	40	40	40	40	40	40	40	40	40	40	480 ✓
		16	All of Section																640 ✓
		17	All of Section																640 ✓
		20	All of Section																640 ✓
		21	All of Section																640 ✓
		22	All of Section																640 ✓
		23	27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	627 ✓
		24	All of Section																640 ✓
		25	All of Section																640 ✓
		26	All of Section																640 ✓
		27	40	40	40	40	40	40	40	40	10	40	40	40	40	40	40	40	610 ✓
		28	All of Section																640 ✓
		29	All of Section																640 ✓
		34	40	40	40	40	40				40	40			29	40	40	40	469 ✓
		35	All of Section																640 ✓
7 N	34 E	32													40			40	80 ✓
		33											40	40					80 ✓

Total number of acres irrigated 17,088

Identification No. 31-7005
Application No. 40164

LICENSE ISSUED FOR 13 3/4 SEC. 47
LICENSE PAGE NO. 1

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant OWSLEY CANAL COMPANY
post office address Terreton, Idaho
2. Source of water supply Subterranean which is a tributary of underground water
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 7 N.
Range 34 E. B.M. Jefferson County; additional points of diversion if any: ---
- b. If water is not consumed, it will be discharged into Mud Lake at a point in --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township --- Range --- B.M.
4. Quantity to be appropriated:
 - a. 20.0 cubic feet per second and/or
 - b. 40-0 6000 acre feet per annum will be stored.
per letter 1-6-68
5. Water will be used for the following purposes:
Irrigation purpose from April 1 to Nov. 15 (both dates inclusive)
purpose from --- to --- (both dates inclusive)
purpose from --- to --- (both dates inclusive)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 26" well with pump, 60 hp motor, pump discharge, 14" into ditch, 8' at bottom with 2-1 slope, fall 3' to 1 mile, ditch runs southeasterly westerly about $\frac{1}{2}$ mile to existing Owsley ditch, then to Mud Lake from which water is discharged into Owsley Canal Co. distribution system. Storage temporary only.
 - b. Height of storage dam --- feet; active reservoir capacity --- acre feet; total reservoir capacity --- acre feet; materials used in storage dam: ---
 - c. Proposed well diameter is 26 inches; proposed depth of well is 75 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is five years.
b. Estimated construction cost is \$ 9,500.00.
8. Description of proposed uses:
 - a. If water is **not** for irrigation:
 - (1) Give the place of use of water: --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township --- Range --- B.M.
 - (2) Amount of power to be generated: --- hp under --- feet of head.
 - (3) List number of each kind of livestock to be watered ---
 - (4) Name of municipality to be served ---, or number of families to be supplied with domestic water ---.
 - (5) If water is to be used for other purposes describe: ---

31-7005

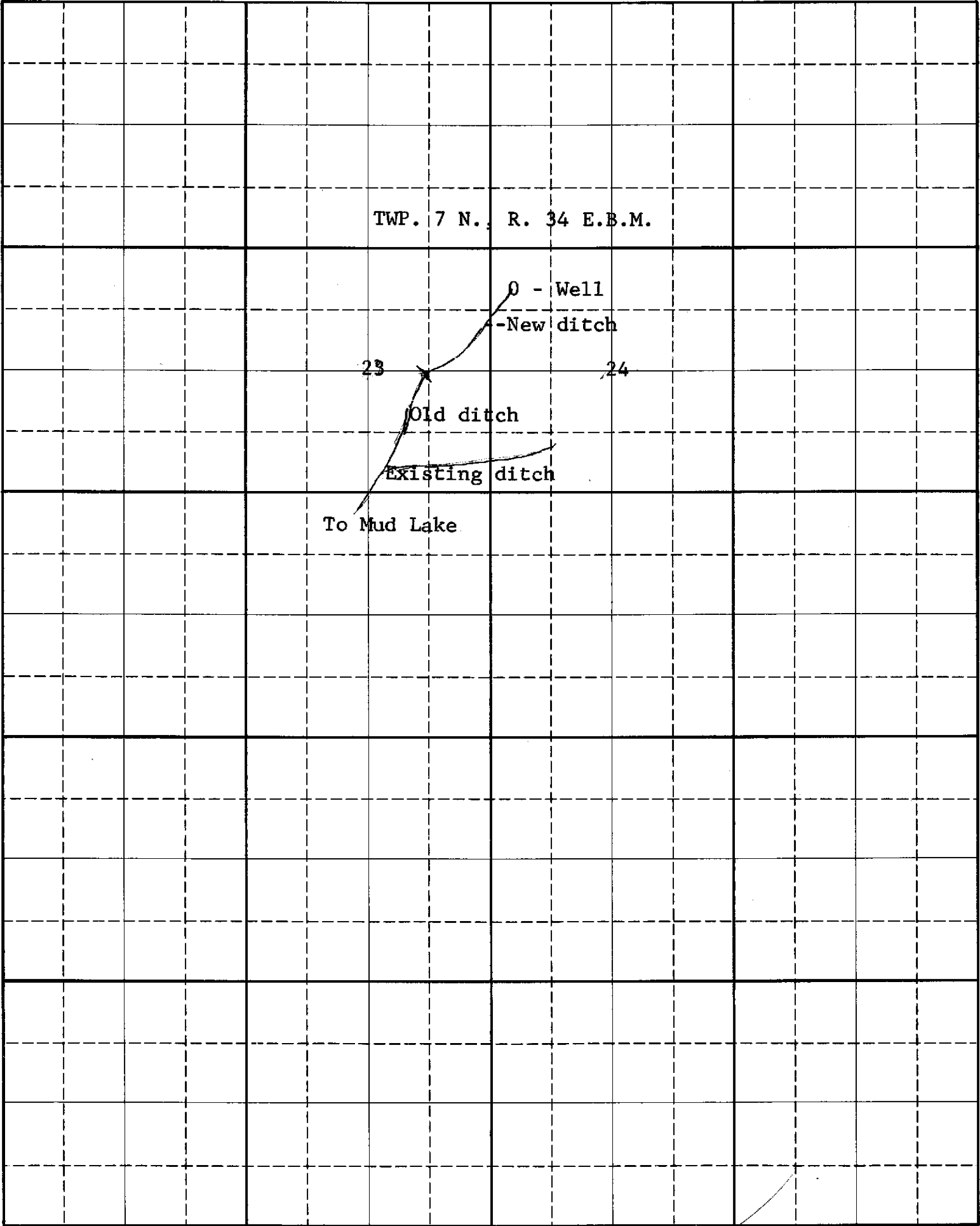
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9. a. Who owns the property at the point of diversion

Applicant

~~Storage mentioned in 4.b. above is merely temporary in Mud Lake while water is being drawn off into Company's distribution system.~~

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

OWSLEY CANAL COMPANY
By Jack Gerard
(Applicant) President

Received by 44 Date 12.4.67 Time 8:30am
Preliminary check by OK Fee \$ 100.00

Received by 44 Date 12.4.67
Publication prepared by 44 Date 12-28-67

Published in Engineering News-Record
Publication dates 1-11-68 to 1-11-68

Publication approved 44 Date 12.4.67
Priority reduced to _____ Reason _____

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CSA

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7005, and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 73.

c. Other: The applicant shall permanently install a measuring device of a type

approved by the department as part of the diverting works. This permit is

supplemental to all prior rights.

2. Denial of said application is for the following reasons: _____

Witness my hand this 19 day of February 19 68.

State Reclamation Engineer

Township 6 North, Range 35 E.B.M.

SECTION	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				ACRES
	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	
8												40		40	40	40	160
17					27	40	40	40					40	27	40	26	280
18	40	40	40	40	40	40	40	40	40	40	40	40	40	35	40	35	630
19	40	40	40	40	40	40	40	40	40	40	40	40	40	35	40	35	630
20	40	40	40	40	40	40	40						40	40	40	40	440
29					35	40	35	40						10			160
30	40	40	40	40		36	40	35						36		35	342

Township 6 North, Range 34 E.B.M.

3						30	35	40	40	40	40	40	40	40	40	40	425
4	40	30	40	30	30	30	30	30	40	40	40	40	40	40	40	40	580
5	40	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	620
7	40	40	40	40					40	40	40	40					320
8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
11									40	40	40	40	40	40	40	40	320
13						40		40	40	40	40	40	40	40	40	40	400
14	40	40	40	40					40	40	40	40	40	40	35	40	475
15					40	40	40	40	40	40	40	40	40	40	40	40	480
16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
23	27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	627
24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
27	40	40	40	40	40	40	40	40	40	40	40	40	10	40	40	40	610
28	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
34	40	40	40	40	40		40		40	40	40	40	40		29		469
35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Township 7 North, Range 34 E.B.M.

32									40	40							80
33													40	40			80

TOTAL ACRES

17088

RECEIVED

DEC 4 1967

Department of Reclamation

31-7005

OWSLEY CANAL COMPANY - ESTABLISHED WATER RIGHTS AS OF NOV. 24, 1967.

Lake:

1. Decreed to Owsley in Sauve vs. Abbott, Waters of Mud	<u>PRIORITY</u>	<u>QUANTITY</u>
	3/ 9/11	1.6 cfs
	4/15/12	80.8 cfs
	12/ 2/16	72.6 cfs
	5/ 1/21	25.0 cfs
	8/11/24	75.0 cfs

2. Decreed rights in above Decree acquired by Owsley:

<u>NAME</u>		
Carl Nordstrom	11/ 3/10	1.6 cfs
Clara Welchman	11/14/12	2.68cfs
James A. Melton	7/21/13	4.0 cfs
H. A. & Mary L. England	9/ 6/13	2.5 cfs
Henry Jemmett	10/18/13	3.0 cfs
George E. Monroe	6/ 1/15	1.0 cfs
William H. Miller	6/24/16	2.44cfs
George E. Monroe	12/ 3/16	1.0 cfs
Ernest Sauve	8/28/26	6.4 cfs

3. Decreed rights in Owsley Canal Company vs. Bauerle

<u>PERMIT</u>		
17611	May 1	
17612	to	
17640	Nov. 1	200.0 cfs
18387		

4. Water Licenses of Permits:

17262	1/25/30	40.0 cfs x
19085	5/22/40	64.4 cfs - 50
19588	Priority not estab.	10.0 cfs x
G-25545	9/ 3/54	16.0 cfs
G-25546	9/ 3/54	16.0 cfs
G-25547	9/ 3/54	16.0 cfs
G-25550	9/ 3/54	16.0 cfs
G-25551	9/ 3/54	16.0 cfs
TOTAL		674.02 cfs

See #10 - Remarks.

AFFIDAVIT OF PUBLICATION
The Rigby Star

RECEIVED
FEB 2 1968
Department of Reclamation

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for two consecutive issues thereof;

first publication having been made on the

18th day of January, 1968
and the last publication on the

25 day of January, 1968

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 1st
day of February, 1968
(SEAL)

R. H. Mamm
Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 3.68

MY COMMISSION EXPIRES JULY 15, 1969

31-7005

— Jefferson County's Best Advertising and News Service —
Publishers - Stationers - Complete Job Printers

The Rigby Star

PRINTERS - PUBLISHERS

February 1, 1968 DIAL 745-7011
RIGBY, IDAHO

State Reclamation Department
State House
Room 107
Boise, Idaho 83701

RECEIVED

FEB 2 1968

Department of Reclamation

Notice of Application for Water - 31-7005
(Owalee Canal) \$6.67

I hereby certify that the foregoing account is
just and correct, that the amount claimed is
legally due, after allowing all just credits,
and that no part of same has been paid.

The Rigby Star
Hope B. Jones
Signature of Claimant

AFFIDAVIT OF PUBLICATION
The Rigby Star

RECEIVED

FEB 2 1968

Department of Reclamation

STATE OF IDAHO, }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of the RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for Two consecutive issues thereof;

first publication having been made on the

4th day of January, 1968

and the last publication on the

11th day of January, 1968

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter, of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B. Jones

Subscribed in my presence and sworn to before me this 1st day of February, 1968.
(SEAL)

N. H. Hanna

Notary Public for the State of Idaho,
Residence and P.O. Address Rigby Idaho.

My commission expires _____, 19__

Publication Fee: \$ 667

COMMISSION EXPIRES JULY 15, 1969

31-7005

The Rigby Star

PRINTERS - PUBLISHERS

February 1, 1968

DIAL 745-7011

RIGBY, IDAHO

RECEIVED
FEB 2 1968

Department of Reclamation

State Reclamation Department

State House

Room 107

Boise, Idaho 83701

Correction of Notice

\$3.68

I hereby certify that the foregoing account is
just and correct, that the amount claimed is
legally due, after allowing all just credits,
and that no part of same has been paid.

Rigby Star
Thelma B. Jones
Signature of claimant

MEMORANDUM

TO: Files 31-00327/00328/00329/00330/00331/00332/00336B/00337B/00371/02239/
02265/02289/02290/02297/02310/02317A&B/02321/02341/02342/02343/
02344/02345/07005

FROM: Pam Skaggs²/State Office

SUBJECT: Transfer 5335

DATE: February 9, 1999

Transfer 5335 combines the groundwater rights of the Holley Water Users, Jackett Canal Co, and Owsley Canal company. These three companies have combined under the Owsley Canal Company name and will operate a single combined system.

The application identifies 34 points of diversion and a combination of the land lists evidenced under each company's SRBA claims or 24261.3 acres. The decreed rights are vague, while the licensed rights identify specific acres and limits. SRBA review of all these rights through the adjudication process will provide specifics and verify the validity of all of these rights.

Review of these rights found that Right 31-02317 was actually licensed in two parts with separate rates and priority dates. These rights were more accurately entered as Parts A & B on the database and the additional 8.08 cfs added to the total diversion rate under this transfer. Also, a combined limit of 200.00 cfs during the irrigation season was identified under Rights 31-00327/00328/00329 & 00330. Right 31-02259 was listed on the application, however this right was superseded by Right 31-00330. After making these adjustments, the total rate of diversion under these rights is 643.21 cfs limited to 503.21 cfs during the irrigation season and 5,000 af storage.

Season of use and diversion volume were adjusted to current standards where specific acres were identified. Recommended conditions include watermaster control, supplemental groundwater, irrigation overlap, measuring/lockable controlling works, right-of-way, permissible place of use, combined limits and standard transfer conditions.

MICROFILMED
FEB 11 1999

MEMORANDUM

TO: FILE 31-07005

FROM: PAM SKAGGS

RE: TRANSFER # 5335

DATE: 11-5-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 31-00327.

MICROFILMED
FEB 11 1999

July 25, 1973

Re: Permit No. 31-7005

Owsley Canal Company
Terreton,
Idaho 83450

Gentlemen:

Enclosed please find a copy of the Water License issued
on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

bjg

Enclosure

31 7005

July 12, 1973

Owsley Canal Company
Terreton,
Idaho 83450

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 31-7005 and has found the following:

Quantity of water diverted: 13.26 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 13.26 cfs

The maximum quantity diverted shall not exceed 5,986 acre feet per year.

Beneficial use: Irrigation of 17,088 acres (see attached land list)

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 24, Twp. 7 N, Rge. 34 E, B.M.

Priority date established: Dec. 4, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

31 7005

Owsley Canal Company land list - October 12, 1967

Township 6 North, Range 35 E.B.M.

SECTION	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				ACRES
	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	
8												40		40	40	40	160
17					27	40	40	40					40	27	40	26	280
18	40	40	40	40	40	40	40	40	40	40	40	40	40	35	40	35	630
19	40	40	40	40	40	40	40	40	40	40	40	40	40	35	40	35	630
20	40	40	40	40	40	40	40						40	40	40	40	440
29					35	40	35	40					10				160
30	40	40	40	40		36	40	35					36		35		342

Township 6 North, Range 34 E.B.M.

3					30	35	40	40	40	40	40	40	40	40	40	40	425
4	40	30	40	30	30	30	30	30	40	40	40	40	40	40	40	40	580
5	40	40	40	40	40	20	40	40	40	40	40	40	40	40	40	40	620
7	40	40	40	40					40	40	40	40					320
8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
11									40	40	40	40	40	40	40	40	320
13					40		40		40	40	40	40	40	40	40	40	400
14	40	40	40	40					40	40	40	40	40	40	35	40	475
15					40	40	40	40	40	40	40	40	40	40	40	40	480
16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
17	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
23	27	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	627
24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
25	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
26	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
27	40	40	40	40	40	40	40	40	40	40	40	40	10	40	40	40	610
28	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
34	40	40	40	40	40		40		40	40	40	40	40	29			469
35	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Township 7 North, Range 34 E.B.M.

32	40	40															80
33													40	40			80

TOTAL ACRES 17088

RECEIVED

DEC 4 1967

Department of Reclamation

31 7005

31-7005

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

River at

31	700.5
----	-------

Chk. by.

$$\begin{array}{r} 1.18 \\ - .605 \\ \hline .590 \\ 708 \\ 708 \\ \hline 178470 \end{array}$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 31-7005

This proof is for B/U

In Water District No.

1. Name of applicant THE OWSLEY CANAL COMPANY, Terreton, Idaho, 83450

2. Source of water supply: ground water

3. Location of point of diversion: Is in the NW1/4 of Section 24

T. 7 N R. 34 E County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same:

F-M: #F 284116 - F-M Pump #PT 8154
26" well with pump, 60 hp motor, pump discharge, 14" into ditch 8' at bottom
with 2-1 slope, fall 3' to 1 mile, ditch runs south westerly about 1/2 mile to
existing Owsley ditch, then to Mud Lake from which water is discharged into
Owsley Canal Co. distribution system. Storage temporary only.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SEE ATTACHED

DIVERSION: Fairbanks - Morse motor ser. no. F/284116
with F-M pump ser. no. P+8154 20" discharge into
open ditch

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Merrill Tennett represented company for this exam
Exam was made with pygmy meter P-149 in
square wooden box Mr. Tennett has installed in
the ditch.

Water is so mingled with waste from cattle
mud which is a heavy hindrance. (The weir is a 6' c.p. with removable
weir crest that is installed in weir box when measurement is needed. Mr. Tennett stated
weir was in place, but examiner didn't have a table giving the reading for 6' weir
so measurement was made by pygmy meter. I have seen the weir. LIST
There is 21" end contractions and 12" bottom contractions. 11/20/70

This examination was made on the 28 day of July, 1970

(Signed)

William Salas

Examiner

31 7005

mjl
9-11-70

ASCS: Rigby
SCS: Rigby

Permit No. 31-7005

Examination for B/U THE OWSLEY CANAL COMPANY

County Jefferson
Sec. 24 T. 7N R. 34E

Quantity:
(permit) 20.0 cfs (proof) 12.83 cfs

Source:

P.D.: underground

Use: NW 1/4 NW 1/4

irrigation

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: 12/4/67 Made: 2/5/70

Due: 2/1/73 Priority: 12/4/67

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Nov 15 — $\frac{319}{91}$
 228 days
 $13.26(198)228 = 5986$

13.26
 Q measured 12-95 CFS
 Q recommended 12-95 13.26
 Volume 6000 cfs

Acreage -
 Found _____
 recommended _____

Subdv. _____

- Amendments
- ☐ None
 - ☐ P.D.
 - ☐ Place of use
 - ☐ _____

31-7005

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 31-7005

REPORT ON PROOF OF B/U The OWSLEY CANAL COMPANY

31 7005

21

NLY

June 24, 1970

Re: Permit No. 31-7005

The Owsley Canal Co.
Attn: Mrs. Merrill Jemmett
Terreton, Idaho 83450

Dear Mrs. Jemmett:

Thank you for your letter of June 1, 1970, regarding the installation of the measuring device in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

31-7005

The Owsley Canal Co.

Terreton, Idaho

83450

RECEIVED
JUN 1 1970
Department of Reclamation

June 1, 1970

Re: Permit No. 31-7005

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO 83707

ATTENTION: MR. DONALD W. MCELLOWNEY

Dear Sir:

In regard to your letter of February 6, 1970, we were under the misunderstanding that your letter wanted another water reading and not just the information about the measuring device until our watermaster, Mr. Don Shenton, talked to you on the telephone last week. This is the reason for the delay in sending a reply.

A Cipelletti Weir was installed in the summer of 1969 and is subject to your inspection at any time.

If there are any other questions in regard to this matter please let us know immediately so that we can take care of them before the June 15 deadline which your letter stated. Thank you.

Yours truly,

Mrs. Merrill Jemmett

Mrs. Merrill Jemmett
Secretary
Owsley Canal Company

bjj

31-7005

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
FEB 5 1967
Department of Reclamation

1. a) Name of Permit Holder OWSLEY CANAL COMPANY
b) Post Office Address Terreton, Idaho
2. Permit Number 31-7005
3. Date of Priority that you are prepared to establish December 4, 1967
4. a) Source from which water was appropriated Underground Water
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 24
Township 7 North, Range 34 East ✓ Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount 12.83 cfs for irrigation purposes from April 1st to Nov. 15th incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Measurement made by Donald W. Shenton,
Water Master, Water District No. 66
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 26" well with pump, 60 HP motor,
into ditch 8' at bottom with 2-1 slope flowing into Owsley ditch,
then to Mud Lake from which water is discharged into Owsley Canal
Company distribution system.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Ralph P. Cope, Idaho Falls, Idaho, - Completed December, 1967.

*Exam Typed
June 29, 1970
Christine McMullan*

31-7005

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

Owsley Canal Company Land 1st - October 12, 1967

Township 6 North, Range 35 E.B.M.

SECTION		NE 1/4		NW 1/4		SE 1/4		SW 1/4		ACRES
		NE	NW	SE	SW	NE	NW	SE	SW	
8	17	40	40	40	40	40	40	40	40	160
	18	40	40	40	40	40	40	40	40	280
	19	40	40	40	40	40	40	40	40	630
	20	40	40	40	40	40	40	40	40	630
	29	40	40	40	40	40	40	40	40	160
	30	40	40	40	40	40	40	40	40	342

Township 6 North, Range 34 E.B.M.

3	40	30	40	40	40	40	40	40	40	425
4	40	40	40	40	40	40	40	40	40	580
5	40	40	40	40	40	40	40	40	40	620
7	40	40	40	40	40	40	40	40	40	320
8	40	40	40	40	40	40	40	40	40	640
9	40	40	40	40	40	40	40	40	40	640
10	40	40	40	40	40	40	40	40	40	640
11	40	40	40	40	40	40	40	40	40	320
13	40	40	40	40	40	40	40	40	40	400
14	40	40	40	40	40	40	40	40	40	475
15	40	40	40	40	40	40	40	40	40	480
16	40	40	40	40	40	40	40	40	40	640
17	40	40	40	40	40	40	40	40	40	640
20	40	40	40	40	40	40	40	40	40	640
21	40	40	40	40	40	40	40	40	40	640
22	40	40	40	40	40	40	40	40	40	640
23	40	40	40	40	40	40	40	40	40	627
24	40	40	40	40	40	40	40	40	40	640
25	40	40	40	40	40	40	40	40	40	640
26	40	40	40	40	40	40	40	40	40	640
27	40	40	40	40	40	40	40	40	40	610
28	40	40	40	40	40	40	40	40	40	640
29	40	40	40	40	40	40	40	40	40	640
34	40	40	40	40	40	40	40	40	40	469
35	40	40	40	40	40	40	40	40	40	640

Township 7 North, Range 34 E.B.M.

32	40	40	40	40	40	40	40	40	40	80
33	40	40	40	40	40	40	40	40	40	80

TOTAL ACRES

31-7005

17088

Notary Public residing at Idaho Falls, Idaho

My commission expires Nov. 9, 1971

STOTT:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

January 16, 1970
(Date)

W. V. Freeman
(Signature)

State of IDAHO)
County of Bonneville) ss.

On this 16th day of January, 19 70, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

John L. Bloom
Notary Public residing at Idaho Falls, Idaho

My commission expires Nov. 9, 1971

February 6, 1970

Re: Permit No. 31-7005

Owsley Canal Company
Terreton,
Idaho 83450

Gentlemen:

We are in receipt of your affidavit submitted as proof of beneficial use for Permit 31-7005. However, in reviewing that affidavit, it appears that you have failed to install the measuring device as required by the conditions of approval of your permit and by Section 42-701 of the Idaho Code.

We cannot accept your proof and issue a license unless you have installed a measuring device of a type approved by the Department. We will hold your affidavit until you can supply us with information as to the type of measuring device installed. You should be aware that failure to install the device and supply information as to the type of device installed may result in the loss of your permit. We will withhold action regarding your permit until June 15, 1970.

We are enclosing a list of the type of devices approved by the Department of Reclamation. If you have any questions, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Information letter

cc: Mr. John L. Bloem

P.O. Box 428

Idaho Falls, Idaho 83401

31-7005

LAW OFFICES OF
ALBAUGH, BLOEM, SMITH & PIKE
P. O. BOX 428
IDAHO FALLS, IDAHO 83401

RALPH L. ALBAUGH
JOHN L. BLOEM
ARTHUR L. SMITH
EDWARD W. PIKE
ROBERT J. FANNING

FOURTH FLOOR
ROGERS ANNEX BUILDING
TELEPHONE 522-6291

February 4, 1970

RECEIVED

FEB 5 1970

Department of Reclamation

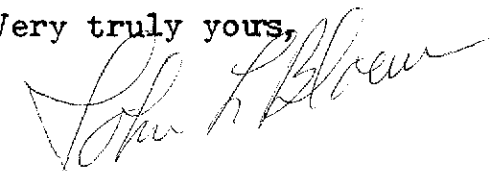
Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707!

Re: Permit No. 31-7005
Owsley Canal Company

Dear Mr. McEldowney:

In connection with the above permit we enclose herewith the proof of application of water to beneficial use, which has been signed by the Vice President of the permit holder.

Very truly yours,


John L. Bloem
of ALBAUGH, BLOEM, SMITH & PIKE

ls
Enc.

31-7005

January 9, 1970

Re: Permit No. 31-7005 - Owsley Canal Company

Mr. John L. Bloem
ALBAUGH, BLOEM, SMITH & PIKE
P.O. Box 428
Idaho Falls, Idaho 83401

Dear Mr. Bloem:

Pursuant to your letter of January 6th, we are enclosing the form for submitting proof of beneficial use in connection with the above referenced permit.

If we may be of additional assistance, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enclosure

31-7005

LAW OFFICES OF
ALBAUGH, BLOEM, SMITH & PIKE
P. O. Box 428
IDAHO FALLS, IDAHO 83401

RALPH L. ALBAUGH
JOHN L. BLOEM
ARTHUR L. SMITH
EDWARD W. PIKE
ROBERT J. FANNING

FOURTH FLOOR
ROGERS ANNEX BUILDING
TELEPHONE 522-6291

January 6, 1970

RECEIVED

Department of Reclamation

DEPARTMENT OF RECLAMATION
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 31-7005
Owsley Canal Company

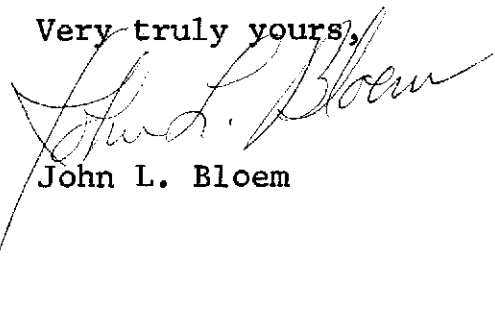
Gentlemen:

The Owsley Canal Company is prepared to submit
final proof in connection with the above numbered permit.

Will you please send us the necessary forms
for submitting this proof?

JLB.s

Very truly yours,


John L. Bloem

31-7005

March 18, 1969

C
O
P
Y

Mrs. Merrill Jemmett, Secretary
The Owsley Canal Company
Terreton, Idaho 83450

Dear Mrs. Jemmett:

Thank you for your letter of March 15, 1969. Please be advised that the Owsley Canal Company applied for an application for permit on December 4, 1967 and the permit was approved on February 19, 1968. The number of the permit is 31-7005. The permit was approved with the condition that proof of beneficial use of the water under the permit would be submitted on or before February 1, 1973 and that the applicant would install a permanent measuring device of a type approved by the department as part of the diverting works and that permit was supplemental to all prior rights.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

31-7005

31-7005

The Owsley Canal Co.
Terreton, Idaho
83450

RECEIVED

MAR 18 1969

Department of Reclamation

March 15, 1969

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Dear Sirs:

Would you please check y our records and give us
the Identification Number and the Application Number
of the Water Permit issued to the Owsley Canal Co.
between the year 1967 and 1969 as we are unable to
locat e this permit so that we may prove up on this
well.

Thank you.

Yours truly,

Mrs. Merrill Jemmett

Mrs. Merrill Jemmett

Secretary

bjj

31-7005

February 20, 1968

Re: Permit No. 31-7005

Owsley Canal Company
Terreton,
Idaho 83450

Gentlemen:

We enclose a copy of your approved application for permit 31-7005 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosures: Copy of application
Receipt No. 207 for \$100.00

CORRECTION NOTICE

Notice is hereby given that Application No. 31-7005, Owsley Canal Company, has been changed at the request of the applicant as to the volume of storage from ~~400~~ acre feet per annum to ~~6000~~ acre feet per annum.

Any protest against this correction must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Publish: Jan. 18, 25, 1968.

31-7005

CORRECTION NOTICE

January 9, 1968

Re: Application No. 31-7005

Rigby Star
Rigby,
Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

Form 3

31-7005

CORRECTION NOTICE

Notice is hereby given that Application No. 31-7005, Owsley Canal Company, has been changed at the request of the applicant as to the volume of storage from 40.0 acre feet per annum to 6000 acre feet per annum.

Any protest against this correction must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho on January 18 and January 25.

31-7005

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Owsley Canal Company, Terreton, Idaho has on December 4, 1967 applied for permit to divert 20.0 cubic feet per second and to store 40 acre feet of water from a subterranean source under application No. 31-7005. Water will be diverted by a well, pump, motor, and ditches within the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 24, T. 7 N, R. 34 E, B. M., Jefferson County and is to be used from April 1 to November 15 for irrigation purposes in parts of Sections 8, 17, 18, 19, 20, 29, 30, T. 6 N, R. 35 E; and 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 34, 35, T. 6 N, R. 34 E; and 32 and 33, T. 7 N, R. 34 E, B.M., total acres 17,088.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
(Publish: Jan. 4-11, 1968)

31-7005

OFFICERS

Jack Gerard
President
Ivan Staten
Vice-President
Merrill Jemmett,
Manager
Betty Jemmett
Secretary

The Owsley Canal Co.
Terreton, Idaho

RECEIVED

JAN 9 1968

DIRECTORS

Guy Miskin
Ivan Staten
Walt Speelman
Merlin Byrne
Jack Gerard

Department of Reclamation

Terreton, Idaho
Jan. 6, 1968

Donald W. McBldowney, Water Rights clerk
Dept. of Reclamation
Boise, Idaho

Dear Sir:

In answer to your letter of January 4, in regard to our application for permit to develop underground water, I have made the proper correction on the application, No. 42164, which was enclosed. The correction is made on item 4B of the application. I also corrected item 6A by changing the direction of the ditch from "South Easterly" to "South Westerly."

It is impossible to determine just how much water a well will produce, so our application is for an amount of water greater than we expect the well to supply.

I am returning the corrected application (No. 42164) and the list of land for beneficial use proof. Thank you for calling my attention to the errors.

Yours truly,

Owsley Canal Company
Jack Gerard, president

Jack Gerard

31-7005

Identification No. 31-7005
Application No. 42164

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant OWSLEY CANAL COMPANY
post office address Terreton, Idaho
2. Source of water supply Subterranean which is a tributary of underground water
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 7 N.
Range 34 E. B.M. Jefferson County; additional points of diversion if any: ---
- b. If water is not consumed, it will be discharged into Mud Lake at a point in --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township --- Range --- B.M.
4. Quantity to be appropriated:
 - a. 20.0 cubic feet per second ~~and~~/or
 - b. 4000 6000 acre feet per annum will be stored.
5. Water will be used for the following purposes:
Irrigation purpose from April 1 to Nov. 15 (both dates inclusive)
purpose from --- to --- (both dates inclusive)
purpose from --- to --- (both dates inclusive)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 26" well with pump, 60 hp motor, pump discharge, 14" into ditch, 8' at bottom with 2-1 slope, fall 3' to 1 mile, ditch runs ^{WESTERLY} southeasterly about $\frac{1}{2}$ mile to existing Owsley ditch, then to Mud Lake from which water is discharged into Owsley Canal Co. distribution system. Storage temporary only.
 - b. Height of storage dam --- feet; active reservoir capacity --- acre feet; total reservoir capacity --- acre feet; materials used in storage dam: ---
- c. Proposed well diameter is 26 inches; proposed depth of well is 75 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is five years.
b. Estimated construction cost is \$9,500.00.
8. Description of proposed uses:
 - a. If water is **not** for irrigation:
 - (1) Give the place of use of water: --- $\frac{1}{4}$ of --- $\frac{1}{4}$ of Section --- Township --- Range --- B.M.
 - (2) Amount of power to be generated: --- hp under --- feet of head.
 - (3) List number of each kind of livestock to be watered ---
 - (4) Name of municipality to be served ---, or number of families to be supplied with domestic water ---.
 - (5) If water is to be used for other purposes describe: ---

31-7005

January 4, 1968

Re: Application No. 31-7005

Owsley Canal Company
Terreton,
Idaho

Attention: Jack Gerard, President

Gentlemen:

We are in receipt of the application for permit submitted in behalf of your company. However, before we can take final action on your application for permit, we must have some additional information.

Under Item 4a and 4b of the application, quantity of water to be appropriated, you have listed that you are requiring 20 cubic feet per second and/ or 40 acre feet per annum. As you have not indicated whether you wish an additional 40 acre feet or whether or not the 20 cubic feet is a rate of diversion with a maximum quantity that can be diverted per annum under your permit, the department must view the application as a rate of diversion of 20 cubic feet per second with the maximum withdrawal per annum of only 40 acre feet.

If you wish this matter clarified, please advise us by return mail.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of application

31-7005

December 28, 1967

Re: Application No. 31-7005

Rigby Star
Rigby,
Idaho 83342

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McAlldowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

Form 3

31-7005

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Owley Canal Company, Terroton,
Idaho has on December 4, 1967
applied for permit to divert 20.0 cubic feet per second and to store 40 acre feet
divert store of water from a subterranean source
under application No. 31-7005. Water will be diverted by a well, pump,
motor, and ditches within the N. 1/4 NW 1, sec. 24, T. 7 N, R. 34 E,
E.M., Jefferson County
and is to be used from April 1 to November 15 for irrigation purposes

in parts of sections 8, 17, 18, 19, 20, 29, 30, T. 6 N, R. 35 E, and 3, 4,
5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28,
29, 34, 35, T. 6 N, R. 34 E; and 32 and 33, T. 7 N, R. 34 E, E.M., total acres 17,088.

Any protest against this application must be filed with the Department of Re-
clamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho
on January 4 and January 11.

new

31-7005

LAW OFFICES OF
ALBAUGH, BLOEM, SMITH & PIKE
P. O. Box 428
IDAHO FALLS, IDAHO 83401

RALPH L. ALBAUGH
JOHN L. BLOEM
ARTHUR L. SMITH
EDWARD W. PIKE
WM. L. NIXON
ROBERT J. FANNING

RECEIVED
DEC 4 1967
Department of Reclamation
FOURTH FLOOR
ROGERS ANNEX BUILDING
BOISE, IDAHO 83725
PHONE 522-6291

December 1, 1967

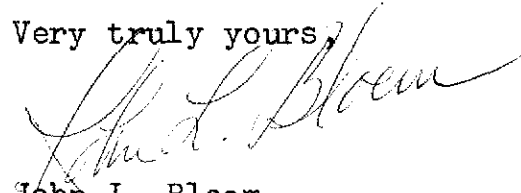
Mr. R. Keith Higginson
State Reclamation Engineer
107 State House
Boise, Idaho 83701

Dear Mr. Higginson:

Enclosed is the application of Owsley Canal Company for a permit to appropriate 20.0 cfs of underground water to be used in the Company distribution system. According to the water rights which have now been decreed or are now licensed, the applicant has 674.02 cfs water to irrigate 17,088 acres of land. However, under section 10, "Remarks", a statement of the actual water currently being produced shows there are only 160.0 cfs of water for this purpose.

Also enclosed is check of the Owsley Canal Company for \$100.00 filing fees. If you have any question regarding this application please feel free to call on us.

Very truly yours,


John L. Bloem
of ALBAUGH, BLOEM, SMITH & PIKE

ls
Enc.

CC: Mr. Jack Gerard

31-7005